

**Commonwealth of Massachusetts
Executive Office of Health and Human Services**

NOTICE OF PUBLIC HEARING

Pursuant to the authority of M.G.L. c. 118E and in accordance with M.G.L. c. 30A, the Executive Office of Health and Human Services (EOHHS) will hold a remote public hearing on January 31, 2023, at 2:00 p.m. relative to the adoption of:

101 CMR 352.00: Rates for Certain Children's Behavioral Health Services

The Executive Office of Health and Human Services (EOHHS) is adopting, on an emergency basis, amendments to 101 CMR 352.00: *Rates for Certain Children's Behavioral Health Services*. 101 CMR 352.00 governs the rates of payment used by state governmental units, including MassHealth, for certain children's behavioral health services rendered by eligible providers.

The emergency amendments update the rates for in-home therapy (IHT) services for dates of service on or after January 1, 2023. IHT services are provided by bachelor's (BA) level and master's (MA) level clinicians to members under 21 years of age with significant behavioral, emotional, and mental health needs. The amendments apply an increase of 35% to both current IHT rates, based on rate range assumptions determined using updated MA and BA level model budgets and the application of a cost adjustment factor.

All other rates are proposed to remain at their current levels.

EOHHS is making these changes, subject to federal approval, to ensure that payments are reasonable and adequate to meet the costs that must be incurred by efficiently and economically operated facilities, and to ensure that payment rates are consistent with efficiency, economy, and quality of care. There is no anticipated impact on MassHealth expenditure, as there is no current fee-for-service (FFS) utilization of IHT services. The actual change in annualized expenditures may vary depending on actual utilization of services. There is no fiscal impact on cities and towns.

The regulation goes into effect as an emergency on January 1, 2023.

To register to testify at the hearing and to get instructions on how to join the hearing online, go to www.mass.gov/service-details/executive-office-of-health-and-human-services-public-hearings. To join the hearing by phone, call (646) 558-8656 and enter meeting ID 935 397 8200# when prompted.

You may also submit written testimony instead of, or in addition to, live testimony. To submit written testimony, please email your testimony to ehs-regulations@mass.gov as an attached Word or PDF document or as text within the body of the email with the name of the regulation in the subject line. All written testimony must include the

sender's full name, mailing address, and organization or affiliation, if any. Individuals who are unable to submit testimony by email should mail written testimony to EOHHS, c/o D. Briggs, 100 Hancock Street, 6th Floor, Quincy, MA 02171. Written testimony will be accepted through 5:00 p.m. on January 31, 2023. EOHHS specifically invites comments as to how the amendments may affect beneficiary access to care.

To review the current draft of the proposed actions, go to www.mass.gov/service-details/executive-office-of-health-and-human-services-public-hearings or request a copy in writing from MassHealth Publications, 100 Hancock Street, 6th Floor, Quincy, MA 02171.

Special accommodation requests may be directed to the Disability Accommodations Ombudsman by email at ADAAccommodations@mass.gov or by phone at (617) 847-3468 (TTY: (617) 847-3788 for people who are deaf, hard of hearing, or speech disabled). Please allow two weeks to schedule sign language interpreters.

EOHHS may adopt a final, revised version of the emergency regulation taking into account relevant comments and any other practical alternatives that come to its attention.

In case of inclement weather or other emergency, hearing cancellation announcements will be posted on the MassHealth website at www.mass.gov/service-details/executive-office-of-health-and-human-services-public-hearings.

December 30, 2022